

State of Kansas
Department of Health and Environment

Public Notice Concerning Kansas / Federal
Water Pollution Control Permits and Applications

State of Kansas
Department of Health and Environment
Division of Environment-Bureau of Water
1000 SW Jackson St., Suite 420
Topeka, Kansas 66612-1367
Telephone: (785) 296-6432 - Ag Permits
(785) 296-5517 - All Others

Public Notice No. KS-AG-19-001/010
Public Notice No. KS-AG-R-19-001/002
Public Notice No. KS-Q-19-001/003

Beginning Date: January 10, 2019
Comments Due: February 9, 2019

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

Public Notice No. KS-AG-19-001

Application(s) for New or Expansion of Existing Swine Facilities

Name and Address of Applicant

Metzger Farms II
2293 P Rd
Seneca, KS 66538

Owner of Property Where Facility Will Be Located

Douglas Metzger
2293 P Rd
Seneca, KS 66538

Legal Description

NE/4 of Section 21
and E/2 of Section 22
T02S, R13E
Nemaha County

Receiving Water

Missouri River Basin

Kansas Permit No.: A-MONM-S061

This is notification KDHE has received a complete permit application for the operation of a swine waste management facility capable of housing 40 head (16 animal units) of swine weighing greater than 55 pounds each and 300 head (30 animal units) of swine weighing 55 pounds or less for a total of 46 animal units. The complete application can be viewed at the office of the Nemaha County Clerk, the KDHE Northeast District Office in Lawrence, Kansas or the KDHE Main Office in

Topeka, KS. A permit to operate the proposed swine waste management system will not be issued without additional public notice.

Public Notice No. KS-AG-19-002/010

Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Lane County Feeders, LLC 16 W Rd. 230 Dighton, KS 67839	SW/4 of Section 1 SE/4 of Section 2 NE/4 & SW/4 of Section 11 NW/4 of Section 12 T17S, R29W Lane County	Upper Arkansas River Basin

Kansas Permit No.: A-UALE-C004

Federal Permit No.: KS0115177

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 48,500 head (48,500 animal units) of cattle weighing greater than 700 pounds. The facility's NMP was updated to include a change in the application rate limitation for field Fullmer South, from 1.5 x crop P removal application rate limitation to Agronomic N application rate limitation and for fields Selfridge and Thon Corners, from a 1.0 x crop P removal to a 1.5 x crop P removal. There are no changes to the permit or in the permitted number of animal units. Only the updated portions of the Nutrient Management Plan are subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Brian Haverkamp Kelly Hills Dairy Inc. 1326 M4 Rd. Seneca, KS 66538	NW/4 of Section 22 T03S, R13E Nemaha County	Missouri River Basin
------------------------------------------------------------------------------	---------------------------------------------------	----------------------

Kansas Permit No.: A-MONM-B014

This is a new permit for a new beef facility for 999 head (999 animal units) of cattle weighing greater than 700 pounds. Approximately 17.6 acres of drainage area including pens and associated areas and extraneous drainage drain to two (2) proposed sediment basins preceding a proposed waste storage pond.

Mitch McMahan McMahan Farms – Main Site 1071 22 nd Rd. Clay Center, KS 67432	SE/4 of Section 16 T07S, R02E Clay County	Lower Republican River Basin
--------------------------------------------------------------------------------------------------	-------------------------------------------------	---------------------------------

Kansas Permit No.: A-LRCY-B010

This is a modified and re-issued permit for an expanding facility for 999 head (999 animal units) of cattle weighing greater than 700 pounds. The facility consists of six dirt lots and three grass buffer areas. Three pens are proposed which will drain to grass buffer and crop field buffer. One non-confined supplemental feeding area is located south of 22nd Road.

Jonathan Wiebe
Cattle Country Feeders, Inc.
6706 13 Road
Ingalls, KS 67853

SW/4 of Section 31
T24S, R28W
Gray County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAGY-C011

Federal Permit No.: KS0091952

This is a renewal permit for an existing facility for 6,750 head (6,750 animal units) of cattle weighing greater than 700 pounds. There is no change in the permitted animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

LeRoy E. Winkler
1129 M4 Road
Corning, KS 66417

W/2 of Section 7
T04S, R13E
Nemaha County

Missouri River Basin

Kansas Permit No.: A-MONM-S028

This is a renewal permit for an existing facility for 2,400 head (960 animal units) of swine more than 55 pounds. There has been no change in animal units from the last permit.

Richard Gress
Gress Dairy, Richard
1323 168th Rd.
Seneca, KS 66538

SW/4 of Section 18
T02S, R13E
Nemaha County

Missouri River Basin

Kansas Permit No.: A-MONM-M017

This is a renewal permit for an existing facility for 100 head (140 animal units) of mature dairy cattle, 30 head (30 animal units) of cattle weighing over 700 pounds (dairy heifers), and 20 head (10 animal units) of cattle weighing 700 pounds or less (dairy calves), for a total of 150 head (180 animal units). There has been no change in animal units from the last permit.

Larry Blume
9010 Water Mill Rd.
Wamego, KS 66547

SW/4 of Section 3
and NW/4 of Section 10
T09S, R10E
Pottawatomie County

Kansas River Basin

Kansas Permit No.: A-KSPT-B004

This is a renewal permit for an existing facility for 700 head (700 animal units) of cattle weighing more than 700 pounds and 250 head (125 animal units) of cattle weighing 700 pounds or less. This facility has an approved Waste Management Plan on file with KDHE.

Randall Yost
413 29th Ave

SE/4 of Section 11
T21S, R01W

Little Arkansas
River Basin

Moundridge, KS 67107

McPherson County

Kansas Permit No.: A-LAMP-S026

This is a renewal permit for an existing facility for 2,400 head (960 animal units) of swine weighing greater than 55 pounds and 39 head (39 animal units) of cattle weighing less than 700 pounds; for a total of 999 animal units. This is a reduction in animal units from the previous permit. The facility consists of two swine buildings with concrete pits, approximately 3 acres of open lot cattle pens and a mortality composing area.

Arthur Busenitz, Inc.
4619 NW Butler Rd.
Benton, KS 67017

NE/4 of Section 7
T25S, R03E
Butler County

Walnut River Basin

Kansas Permit No.: A-WABU-B015

This is a renewal permit for an existing facility for 600 head (300 animal units) of cattle weighing less than 700 pounds. There has been no change in animal units from the last permit.

Public Notice No. KS-AG-R-19-001/002

Per Kansas Statutes Annotated 65-171d, the following Registration has been received for a proposed facility:

<u>Name and Address of Registrant</u>	<u>Legal Description</u>	<u>County</u>
Tim Haverkamp 2384 E Rd. Baileyville, KS 66404	NW/4 of Section 11 T02S, R11E	Nemaha

Dean Bowhay
12554 330th Rd.
Netawaka, KS 66516

NE/4 of Section 4
T05S, R15E

Jackson

Public Notice No.: KS-Q-19-001/003

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28 (b-g), and Federal Surface Water Criteria.

<u>NAME AND ADDRESS OF APPLICANT</u>	<u>RECEIVING STREAM</u>	<u>TYPE OF DISCHARGE</u>
APAC – Kansas, Inc – Reno Division PO Box 23910 Overland Park, KS 66283	Blue River via Coffee Creek via drainage ditch	Process Wastewater

Kansas Permit No. I-MO26-PO03

Federal Permit No. KS0081558

Legal Description: NW¼, S24, T14S, R24E, Johnson County, Kansas

Facility Name: Stanley West Quarry

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This facility is engaged in intermittent limestone quarry operation, concrete recycling and a clean rubble fill for mine reclamation. The facility is set up to wash rock, if needed. The permit contains generic language to protect the waters of the State.

Fort Scott, City of
PO Box 151
Fort Scott, KS 66701

Marmaton River

Treated Domestic
Wastewater

Kansas Permit No. M-MC11-OO02

Federal Permit No. KS0095923

Legal Description: E½, SE¼, SE¼, S19, T25S, R25E, Bourbon County, Kansas

Facility Location: 601 North Barbee, Fort Scott, Kansas 66701

The proposed action is to reissue an existing NPDES/State permit to an existing facility. The existing facility is an activated sludge mechanical treatment plant operating in parallel with a three-cell lagoon with aeration. The proposed permit contains limits for total suspended solids, E. coli, biochemical oxygen demand, ammonia, whole effluent toxicity, and pH, as well as monitoring for total phosphorus, total Kjeldahl nitrogen, nitrate + nitrite, total nitrogen, flow, dissolved oxygen, copper, and priority pollutants.

Ottawa, City of
101 S. Hickory
Ottawa, KS 66067

Marais des Cygnes River

Treated Domestic
Wastewater

Kansas Permit No. M-MC31-OO03

Federal Permit No. KS0097535

Legal Description: NE¼, SE¼, NW¼, S36, T16S, R19E, Franklin County, Kansas

Facility Location: 703 E 1st Street, Ottawa, Kansas 66067

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This facility is a mechanical wastewater treatment plant consisting of two extended aeration basins, two final clarifiers, two aerobic digesters, UV disinfection, cascade reaeration, and peak wet weather holding basin. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, ammonia, whole effluent toxicity, and E. coli, as well as monitoring for dissolved oxygen, nitrate + nitrite, total Kjeldahl nitrogen, total phosphorus, priority pollutants, and flow.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision-making process. Comments or objections should be submitted to the attention of Livestock Waste Management Section for agricultural related draft documents or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before **February 9, 2019**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-19-001/010, KS-AG-R-19-001/002, KS-Q-19-001/003) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/ application.

If response to any draft document / application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents / application and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.

Jeff Andersen
Secretary
Kansas Department of Health and Environment